

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

DATATERN, INC.,

Plaintiff,

v.

ABBOTT LABORATORIES, *et al.*,

Defendants.

Civil Case No.: 2:10-cv-00203

JURY TRIAL DEMANDED

**ORDER OF DISMISSAL OF DEFENDANTS HEWLETT-PACKARD
COMPANY AND PEPSICO, INC.**

In consideration of the parties' Joint Stipulation of Dismissal of all claims of DataTern, Inc. ("DataTern") against Defendants Hewlett-Packard Company ("HP") and Pepsico., Inc. ("Pepsi") without prejudice and HP's and Pepsi's dismissal without prejudice of any asserted counterclaims, the Dismissal is GRANTED, and it is ORDERED, ADJUDGED, AND DECREED that all claims asserted in this suit by DataTern against HP and Pepsi and any counterclaims asserted by HP and Pepsi are hereby dismissed without prejudice.

It is further ORDERED that all attorney's fees and costs are to be borne by the party that incurred them, without waiving any rights under Fed. R. Civ. P. 41(d).

SIGNED this 18th day of May, 2017.


ROY S. PAYNE
UNITED STATES MAGISTRATE JUDGE